

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Galvin Jerrell Mitchell

Docket No. 4:11-CR-76-1BO

Petition for Action on Supervised Release

COMES NOW Bentley H. Massey, Senior U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of, Galvin Jerrell Mitchell, who, upon an earlier plea of guilty to Conspiracy to Distribute and Possess With Intent to Distribute 250 Grams or More of Cocaine Base (Crack) and 500 Grams or More of Cocaine, 21 U.S.C. § 846, was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge on May 2, 2012, to the custody of the Bureau of Prisons for a term of 57 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months.

Galvin Jerrell Mitchell was released from custody on April 3, 2015, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On March 13, 2016, the defendant was arrested and charged with Driving While Impaired in Halifax County, North Carolina. He registered a .19 on a breathalyzer, posted bond, and was released. The case (16CR50835) is pending in Halifax County District Court, Halifax, North Carolina. He has hired an attorney and has scheduled a substance abuse assessment with counseling in Rocky Mount, North Carolina. It is believed the interest of justice would best be served by continuing supervision and modifying his conditions to include alcohol abstinence and drug aftercare.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall abstain from the use of any alcoholic beverages, shall not associate with individuals consuming alcoholic beverages, shall not frequent business establishments whose primary product to the consumer is alcoholic beverages, and shall not use any medication containing alcohol without the permission of the probation office or a prescription from a licensed physician.
2. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.

Except as herein modified, the judgment shall remain in full force and effect.

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I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Bentley H. Massey
Bentley H. Massey
Senior U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: 919-861-8815
Executed On: March 28, 2016

ORDER OF THE COURT

Considered and ordered this 29 day of March, 2016 and ordered filed and
made a part of the records in the above case.

Terrence W. Boyle
Terrence W. Boyle
U.S. District Judge